

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

§

§

vs.

§

Case No. 4:06CR55

§

(Judge Schneider)

MICHEAL MITCHELL (2)

§

MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the above-referenced criminal action, this Court having heretofore referred Kathleen E. Mitchell's Motion to Adjudicate Validity of Alleged Interest in Property (Docket No. 71) to United States Magistrate Judge Don D. Bush. On April 19, 2007, the report of the Magistrate Judge was entered containing his proposed findings of fact and recommendation that although Kathleen Mitchell had no reasonable cause to believe the property was subject to forfeiture, it is clear that she was not a bona fide purchaser for value in that she paid ten dollars (\$10.00) for a piece of property that is worth substantially more.

The Court has received the report of the United States Magistrate Judge. Since no objections to the report and recommendation have been made or timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct.

It is, therefore,

ORDERED that the Magistrate Judge's report is **ADOPTED** as the opinion of the Court. It is further

ORDERED that Kathleen E. Mitchell's claim to the real property described as 323 CR 2183, Gainesville, Cooke County, Texas, is **DENIED**.

SIGNED this 15th day of May, 2007.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE